

MEMORANDUM

Agenda Item No. 8(M)(1)

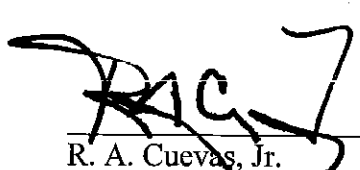
TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: September 16, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution authorizing the acceptance of two canal right-of-way deeds in exchange for the release of unneeded canal reservations lying in Section 23 and 26, Township 53 South and Range 40 East in Miami-Dade County; authorizing the Mayor to execute disclaimers for release of rights in reservation and to execute Right-of-Way deeds

The accompanying resolution was prepared by the Regulatory and Economic Resources Department and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz.



R. A. Cuevas, Jr.
County Attorney

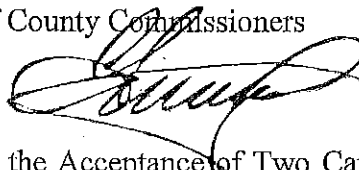
RAC/jls

Memorandum



Date: September 16, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Resolution Authorizing the Acceptance of Two Canal Right-of-Way Deeds in Exchange for the Release of Unneeded Canal Reservations Lying in Sections 23 and 26, Township 53 South and Range 40 East in Miami-Dade County, Florida

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached resolution authorizing the acceptance of two (2) canal right-of-way deeds and the execution of two (2) Miami-Dade County disclaimers for the release of unneeded canal reservations in Sections 23 and 26, Township 53 South and Range 40 East, Miami-Dade County.

Scope

The site is located south of NW 46 Street and north of NW 36 Street between NW 69 and 67 Avenues in unincorporated Miami-Dade County in Commission District 12, which is represented by Commissioner Jose "Pepe" Diaz.

Fiscal Impact/Funding Source

This item does not require the expenditure of any Miami-Dade County funds.

Track Record / Monitor

The Water Control Section Manager within the Department of Regulatory and Economic Resources, Division of Environmental Resources Management, Maria D. Molina, P.E., will be responsible for tasks related to this transaction.

Background

In 1959 and 1960, the Central and Southern Florida Flood Control District, later known as the South Florida Water Management District, gave to the County canal reservations for canal and water management purposes in connection with the Miami-Dade County Water Control Master Plan over the east 130 feet of Sections 23 and 26, Township 53 South and Range 40 East and over the west 130 feet of the SE ¼ of SE ¼ of Sections 23 and 26, Township 53 South and Range 40 East. See Attachment 1 – General Site Sketch.

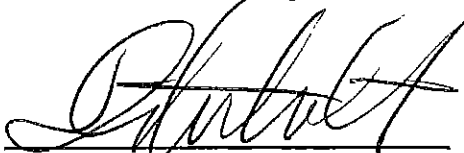
The property owned by FDG Hialeah, LLC at the location described above is encumbered by the canal reservations to the east and to the west of the property. Within the canal reservations are existing canals, the FEC Canal to the west and the FEC Borrow Ditch Canal to the east, which have not been dedicated properly to Miami-Dade County. FDG Hialeah, LLC plans to construct an industrial warehouse subdivision on their land and has offered to dedicate the canal rights-of-way on the east and west sides of the property in exchange for the release of the remaining unneeded portions of each of the canal reservations within the subject property.

As shown in the attached diagrams, the width of the portions of the reservations to be dedicated or disclaimed varies but the areas of each have been calculated as: 3.06 acres of right-of-way to be dedicated on west side, 3.42 acres of reservation to be released on west side, 6.33 acres of right-of-way to be dedicated on east side, and 1.34 acres of reservation to be released on east side.

On behalf of Miami-Dade County, the Department of Regulatory and Economic Resources (RER) has determined that the dedication of the canal rights-of-way for the FEC Canal to the west and the FEC Borrow Ditch Canal to the east are necessary to secure the existing canals and their future needs. RER has also determined that the remaining portions of the subject canal reservations on the east and west sides of Sections 23 and 26, Township 53 South and Range 40 East, with total area of 4.76 acres, are no longer needed for canal and water management purposes in connection with the Miami-Dade County Water Control Master Plan.

It is therefore recommended that the Board approve the attached resolution authorizing the acceptance of two (2) canal right-of-way deeds in exchange for the execution of two (2) Miami-Dade County disclaimers for the release of unneeded canal reservations in Sections 23 and 26, Township 53 South, and Range 40 East, Miami-Dade County.

Following the release of the unneeded canal reservations by the County, FDG Hialeah, LLC, as property owner, would need to pursue further release from the South Florida Water Management District and/or other agencies or entities, as appropriate.

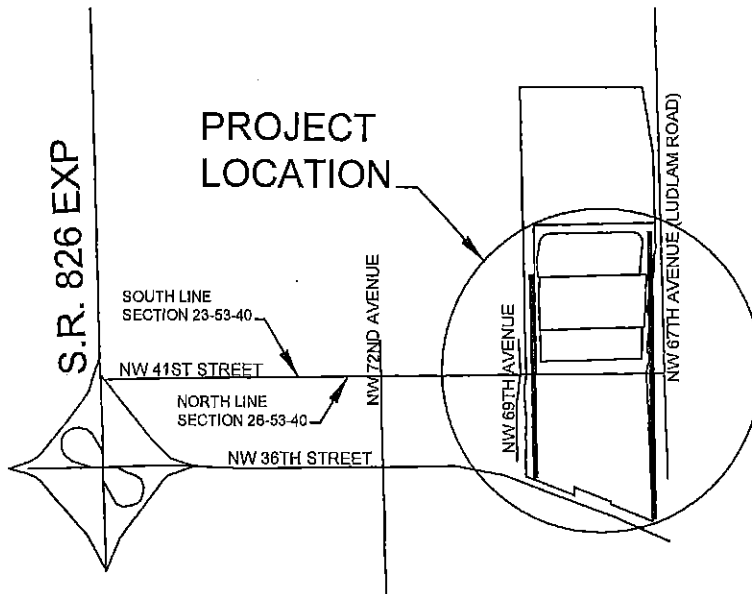
A handwritten signature in dark ink, appearing to read "J. Osterholt", written over a horizontal line.

Jack Osterholt, Deputy Mayor

Attached instruments of conveyance:

- Attachment A: Canal Right-of-Way Deed to Miami-Dade County
- Attachment B: Miami-Dade County, Florida, Disclaimer
- Attachment C: Canal Right-of-Way Deed to Miami-Dade County
- Attachment D: Miami-Dade County, Florida, Disclaimer

ATTACHMENT 1 – GENERAL SITE SKETCH



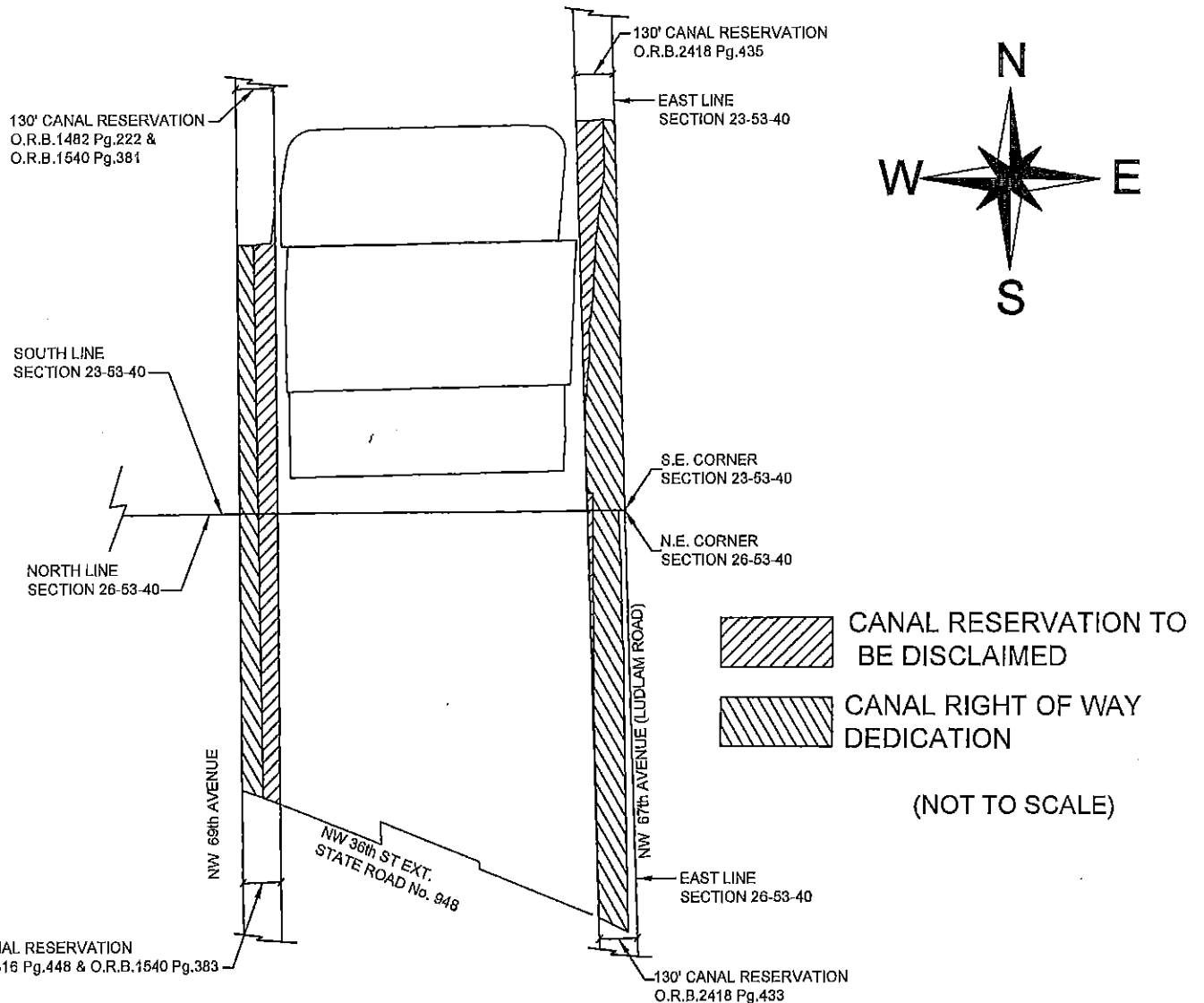
W.C.905

WC. 905

SEC. 23/26

TWP. 53

RGE. 40





MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: September 16, 2015

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 8(M)(1)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☒ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(M)(1)
9-16-15

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE ACCEPTANCE OF TWO CANAL RIGHT-OF-WAY DEEDS IN EXCHANGE FOR THE RELEASE OF UNNEEDED CANAL RESERVATIONS LYING IN SECTIONS 23 AND 26, TOWNSHIP 53 SOUTH AND RANGE 40 EAST IN MIAMI-DADE COUNTY; AUTHORIZING THE MAYOR TO EXECUTE DISCLAIMERS FOR RELEASE OF RIGHTS IN RESERVATION AND TO EXECUTE RIGHT-OF-WAY DEEDS

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

WHEREAS, FDG Hialeah, LLC, a Delaware Limited Liability Company is the owner of the property in Sections 23 and 26, Township 53 South and Range 40 East which is encumbered by those rights in reservation given to Miami-Dade County in 1959 and 1960 by the Central and Southern Florida Flood Control District, later known as the South Florida Water Management District, to be used for water management and flood protection in connection with the Miami-Dade County Water Control Master Plan; and

WHEREAS, FDG Hialeah, LLC, is developing the property and has offered to dedicate a canal right-of-way with total area of 3.06 acres as shown in Attachment A in exchange for the release of a portion of the west 130 foot wide canal reservation, with total area of 3.42 acres as shown in Attachment B in the SE ¼ of the SE ¼ of Sections 23 and 26, Township 53 South and Range 40 East; and has offered to dedicate a canal right-of-way with total area of 6.33 acres as shown in Attachment C in exchange for the release of a portion of the east 130 foot wide canal

reservation with total area of 1.34 acres as shown in Attachment D in Sections 23 and 26, Township 53 South and Range 40 East; and

WHEREAS, the FEC Canal and FEC Borrow Ditch Canal both exist within the subject property; and

WHEREAS, on behalf of Miami-Dade County, the Department of Regulatory and Economic Resources has determined that the requested canal reservations are no longer needed by the County for water management and flood protection in connection with the Miami-Dade County Water Control Master Plan,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board authorizes the Mayor to accept a Right-of-Way Deed from the landowner conveying to Miami-Dade County the western 3.06 acres within the west 130 foot wide canal reservation that runs within and parallel to the FEC Canal and to accept a Right-of-Way Deed from the landowner conveying to Miami-Dade County the eastern 6.33 acres within the east 130 foot wide canal reservation that runs within and parallel to the FEC Borrow Ditch Canal in Sections 23 and 26, Township 53 South and Range 40 East; authorizes, in exchange for the above-mentioned conveyances to Miami-Dade County, the Mayor to execute a Miami-Dade County Disclaimer for the release to the landowner of unneeded rights in reservation upon the eastern 3.42 acres within the west 130 foot canal reservation that runs within and parallel to the FEC Canal and to execute a Miami-Dade County Disclaimer for the release to the landowner of unneeded rights in reservation upon the western 1.34 acres within the east 130 foot canal reservation that runs within and parallel to the FEC Borrow Ditch Canal in Sections 23 and 26, Township 53 South and Range 40 East; and, pursuant to Resolution No. R-974-09, (a) directs the Mayor or the Mayor's designee to record

7

the instruments of conveyance accepted herein in the Public Records of Miami-Dade County, Florida and to provide a recorded copy of the instruments to the Clerk of the Board within thirty (30) days of execution of said instruments; and (b) directs the Clerk of the Board to attach and permanently store recorded copies together with this resolution.

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman	
Esteban L. Bovo, Jr., Vice Chairman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 16th day of September, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

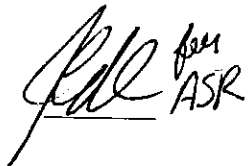
MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Abbie Schwaderer-Raurell

 ASR

ATTACHMENT A

W.C. 905

Page 1 of 7

RIGHT-OF-WAY DEED TO MIAMI-DADE COUNTY

CONVEYS THE TITLE FOR CANAL PURPOSES

BY LIMITED LIABILITY CORPORATION

STATE OF FLORIDA,)
COUNTY OF MIAMI-DADE)

THIS INDENTURE, made this ____ day of _____, 20__, by and between FDG HIALEAH, LLC, a limited liability company under the laws of the State of Delaware, and having its office and principal place of business in the City of Coral Gables, in the State of Florida, party of the first part, and the County of Miami-Dade, a body Corporate, and a Political Subdivision of the State of Florida, and its successors in interest, party of the second part,

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of One Dollar to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, and for other and further good and valuable considerations, does hereby grant, bargain and sell to the party of the second part, and its successors in interest, for the purpose of a public canal and all public uses and purposes incidental thereto, including but not limited to the right of the party of the second part to ownership and disposal of all spoil material from said canal, the following described land, situate, lying and being in the County of Miami-Dade, State of Florida, to-wit:

SEE EXHIBIT "A"

This instrument was prepared by:
Carlos A. Calvache
Department of Regulatory and Economic Resources
Environmental Resources Management
701 N.W. 1st Court, 6th Floor
Miami, Florida 33136

91

If is the intention of the party of the first part by this instrument to convey to the said County, and its successors in interest, the land above described for use as a public canal and for other public uses and purposes.

And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever, claiming by, through or under him.

IN WITNESS WHEREOF, the said party of the first part, has executed by _____, who has been granted the authority to execute this deed on behalf of FDG HIALEAH, LLC, and has caused the same to be attested by _____, on this, the day and year first above written.

Signed, Sealed, Attested and
delivered in our presence:

Witnesses:

Name of Corporation

Sign _____

By _____

Print _____

Print _____

Sign _____

Title _____

Print _____

Address _____

STATE OF)

COUNTY OF)

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by _____, who is personally known to me or who has produced _____ as identification and did take an oath.

NOTARY PUBLIC:

Sign _____

Print _____

State of Florida at Large Seal
My Commission Expires:

10

RIGHT-OF-WAY DEED
TO
MIAMI-DADE COUNTY
CONVEYS THE TITLE FOR
CANAL PURPOSES

FROM
FDG HIALEAH, LLC

TO
MIAMI-DADE COUNTY, FLORIDA

The foregoing dedication was accepted and approved on the ____ day of _____,
20____, by Resolution No. _____ of the Board of County Commissioners of Miami-Dade County,
Florida.

Sign: _____

Print: Carlos A. Gimenez



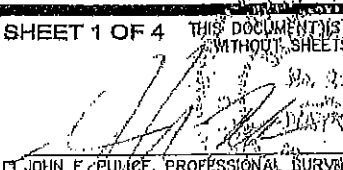
Title: Mayor

111 N.W. 1st Street
Stephen P. Clark Center
Miami, Florida 33128

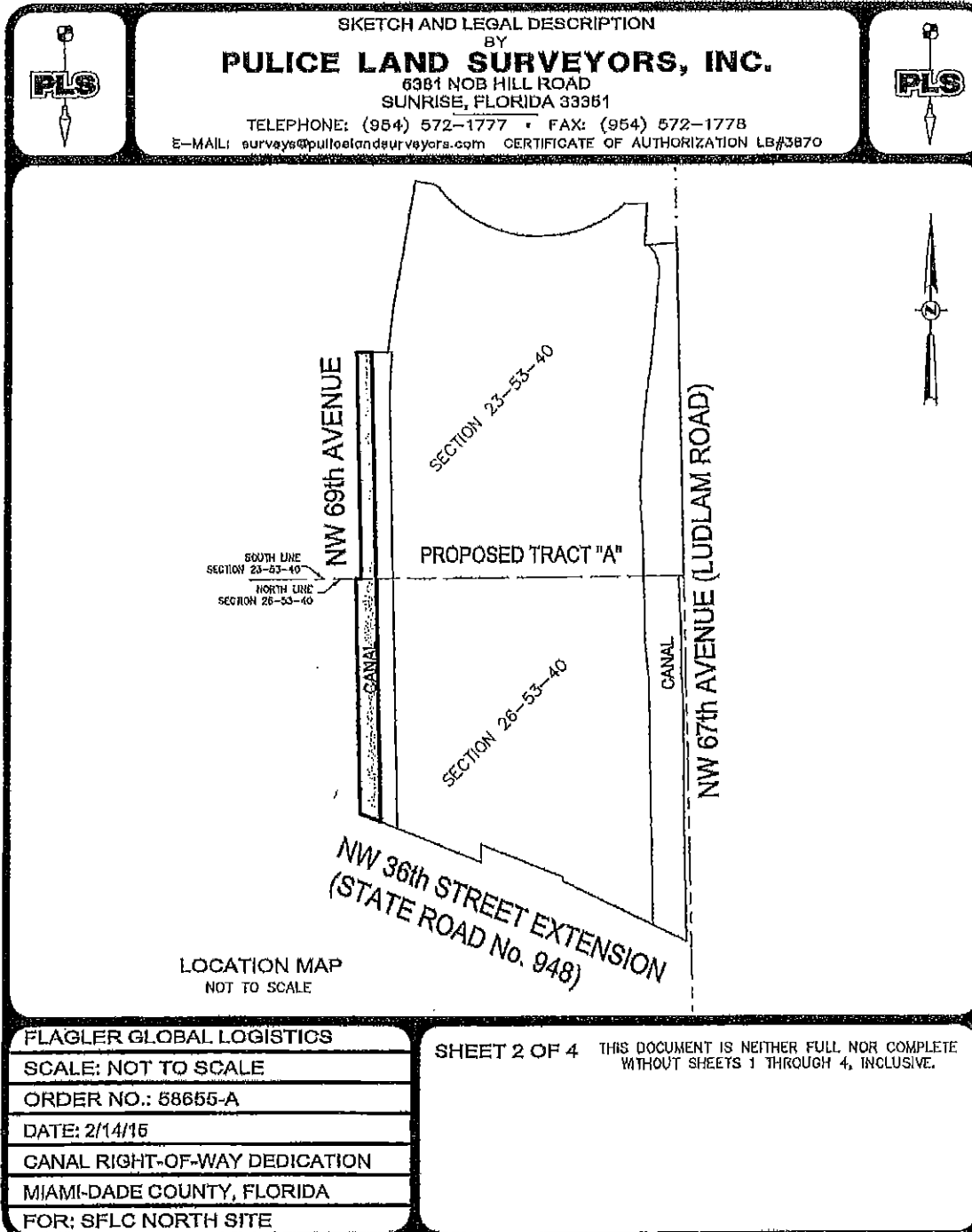
ATTEST: HARVEY RUVIN
Clerk of said Board

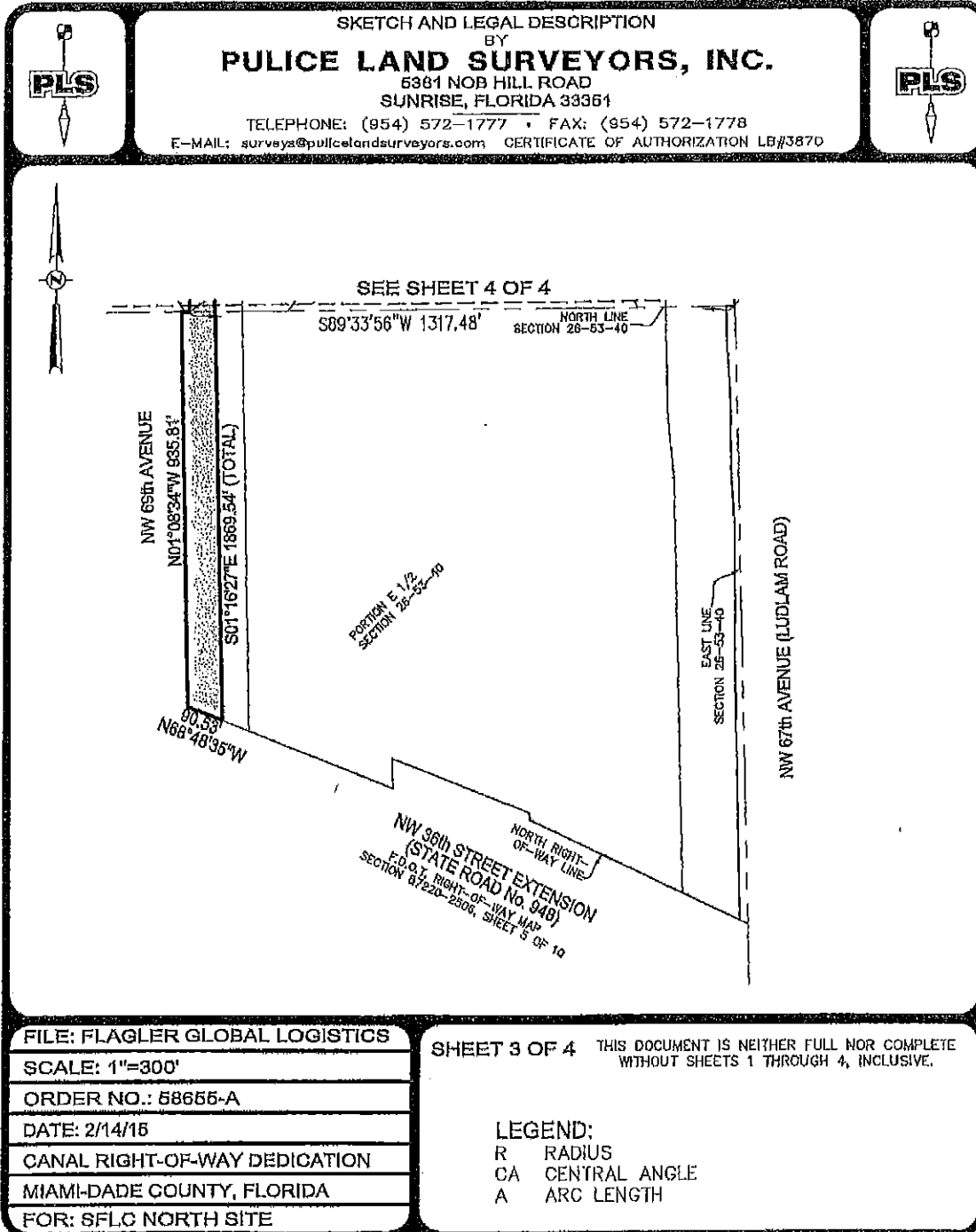
By: _____
Deputy Clerk

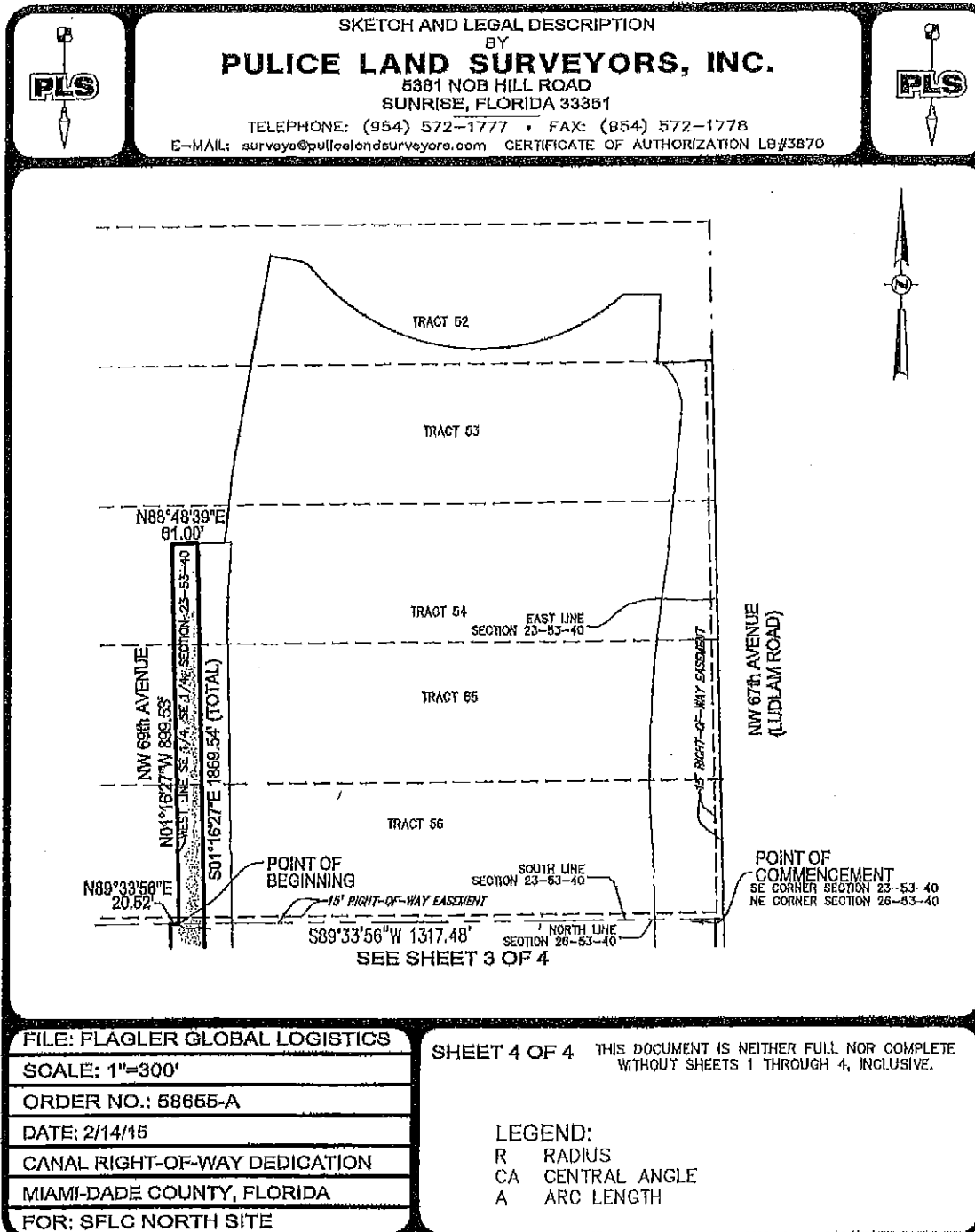
EXHIBIT A FOR ATTACHMENT A

	<p>SKETCH AND LEGAL DESCRIPTION BY PULICE LAND SURVEYORS, INC. 6381 NOB HILL ROAD SUNRISE, FLORIDA 33351 TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778 E-MAIL: surveys@puliceandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870</p>	
<p>LEGAL DESCRIPTION: A PORTION OF TRACTS 54, 55 AND 56 OF "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION No. 1", SECTION 23, TOWNSHIP 53 SOUTH, RANGE 40 EAST, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AND A PORTION OF THE EAST 1/2 OF SECTION 26, TOWNSHIP 53 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 23, ALSO BEING THE NORTHEAST CORNER OF SAID SECTION 26; THENCE SOUTH 89°33'56" WEST ALONG THE SOUTH LINE OF SAID SECTION 23, ALSO BEING THE NORTH LINE OF SAID SECTION 26 FOR 1,317.48 FEET TO THE POINT OF BEGINNING, BEING A POINT ON THE WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 23; THENCE NORTH 01°16'27" WEST ALONG SAID WEST LINE 899.53 FEET; THENCE NORTH 88°48'39" EAST 61.00 FEET; THENCE SOUTH 01°16'27" EAST 1,869.54 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF NW 36th STREET EXTENSION (STATE ROAD No. 948) AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 87220-2506, SHEET 6 OF 10; THENCE NORTH 68°48'35" WEST 90.53 FEET; THENCE NORTH 01°08'34" WEST 935.81 FEET TO A POINT ON THE AFOREMENTIONED SOUTH LINE OF SECTION 23 AND THE NORTH LINE OF SECTION 26; THENCE NORTH 89°33'56" EAST ALONG SAID COMMON SECTION LINE 20.52 FEET TO THE POINT OF BEGINNING. SAID LANDS SITUATE, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA, CONTAINING 133,584 SQUARE FEET (3.0667 ACRES), MORE OR LESS.</p>		
<p>NOTES: 1) BEARINGS ARE BASED ON THE SOUTH LINE OF SECTION 23--53--40, BEING S89°33'56"W. 2) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY. 3) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.</p>		
<p>FILE: FLAGLER GLOBAL LOGISTICS</p> <p>SCALE: N/A</p> <p>ORDER NO.: 58655-A</p> <p>DATE: 2/14/15</p> <p>CANAL RIGHT-OF-WAY DEDICATION</p> <p>MIAMI-DADE COUNTY, FLORIDA</p> <p>FOR: SFLC NORTH SITE</p>	<p>SHEET 1 OF 4 THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 THROUGH 4, INCLUSIVE.</p> <p></p> <p><input type="checkbox"/> JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691 <input type="checkbox"/> BETH BURNS, PROFESSIONAL SURVEYOR AND MAPPER LS6136</p>	

12







ATTACHMENT B

W.C. 905

Page 1 of 6

MIAMI-DADE COUNTY, FLORIDA, DISCLAIMER

KNOW ALL MEN BY THESE PRESENTS that MIAMI-DADE COUNTY, a political subdivision of the State of Florida, does hereby give notice that it disclaims certain rights, title and interests which said MIAMI-DADE COUNTY has in the following described lands lying and being in Miami-Dade County, Florida, to wit:

SEE EXHIBIT "A"

WHEREAS, the Central and Southern Florida Flood Control Districts by Rights in Reservations Deed No. 14 dated September 30, 1960 recorded in Official Records Book 2316 at Page 448 and Rights in Reservations Deed No. 11-A dated June 24, 1959 recorded in Official Records Book 1540 at Page 381 of the Public Records of MIAMI-DADE COUNTY, FLORIDA, conveyed, assigned, set over and granted to Miami-Dade County for canal and levee purposes only, the above described lands; and

WHEREAS, the aforesaid rights in reservations upon the said above described lands are not now needed by MIAMI-DADE COUNTY for canal purposes:

NOW, THEREFORE, MIAMI-DADE COUNTY DOES disclaim any interest it has in the aforementioned lands by virtue of the said Rights in Reservations Deed No. 14 dated September 30, 1960 recorded in Official Records Book 2316 at Page 448 and Rights in Reservations Deed No. 11-A dated June 24, 1959 recorded in Official Records Book 1540 at Page 381 of the Public Records of Miami-Dade County, Florida.

This instrument was prepared by:
Carlos A. Calvache of Miami-Dade County
Department of Regulatory and Economic Resources
701 N.W. 1st Court, 6th Floor
Miami, Florida 33136

BY THE ISSUANCE of this instrument MIAMI-DADE COUNTY does not purport to lessen or diminish any existing canal right of way or canal maintenance easement, nor the rights of any other agency or governmental body in and to the aforementioned lands.

IN WITNESS WHEREOF MIAMI-DADE COUNTY FLORIDA, has caused these presents to be executed in its name by its Board of County Commissioners acting by the Mayor and the Clerk or Deputy Clerk of said Board on this the _____ day of _____ 20 ____.

ATTEST:

MIAMI-DADE COUNTY, FLORIDA
BY ITS MAYOR

HARVEY RUVIN
CLERK OF SAID BOARD

By: _____
Deputy Clerk

By: _____
Carlos A. Gimenez, Mayor

Print: _____

The foregoing instrument was acknowledged before me this ____ day of _____, 20 ____, by _____, who is personally known to me or who has produced _____ as identification and who did take an oath.

NOTARY PUBLIC:

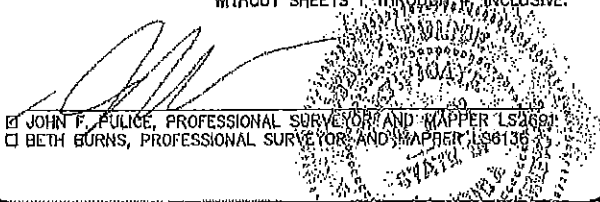
Sign _____

Print _____
STATE OF FLORIDA at large
(Seal)

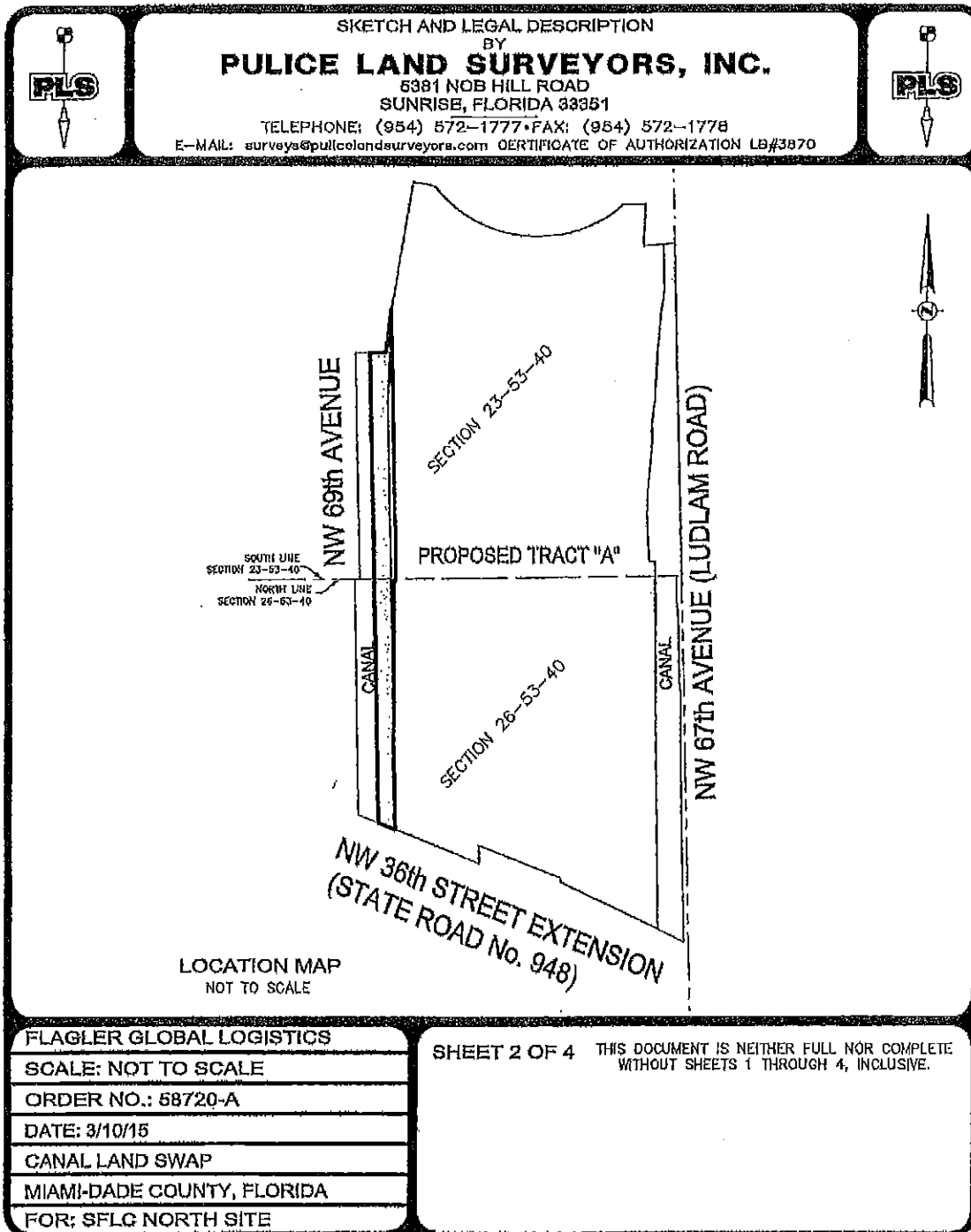
My commission expires: _____

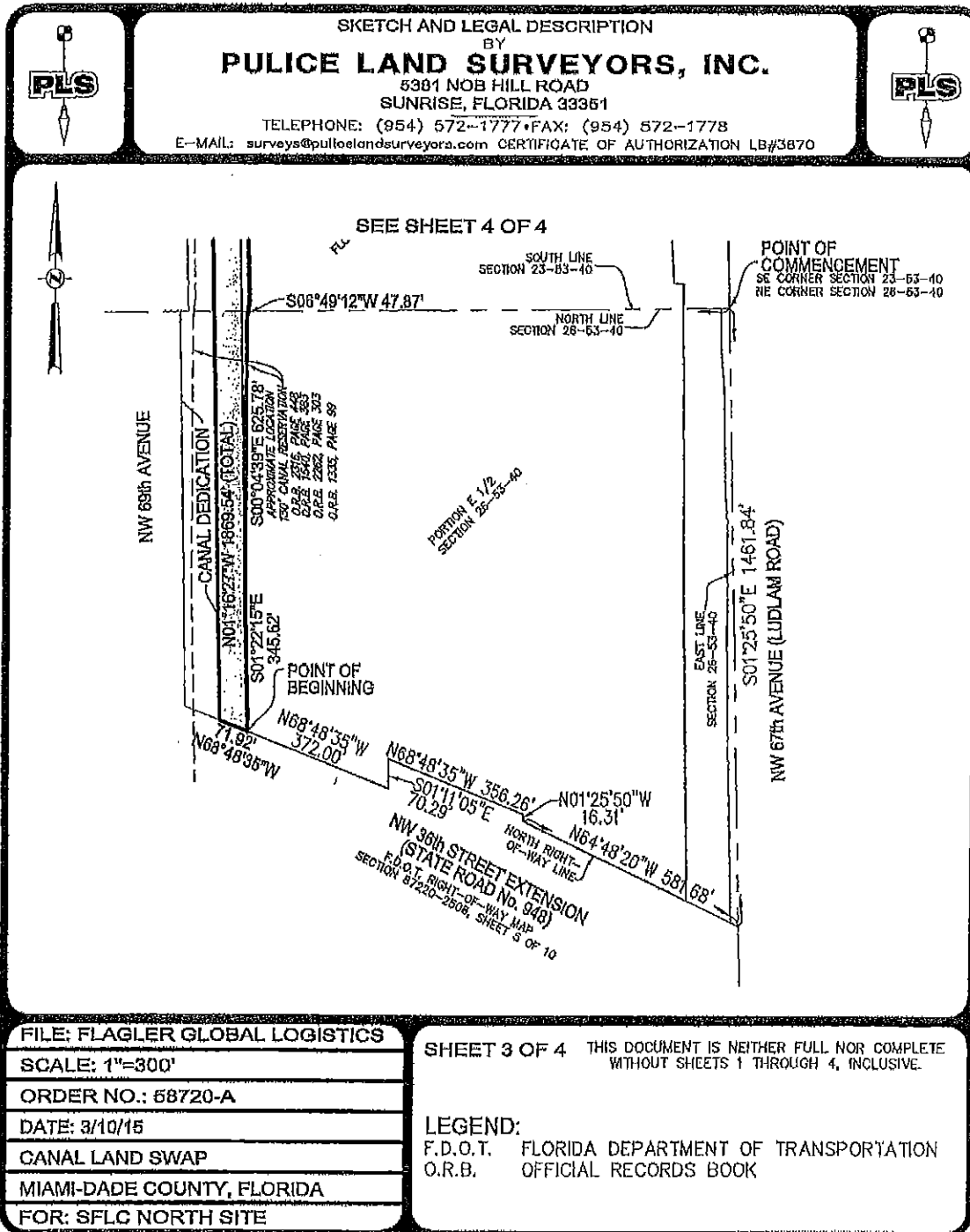
17

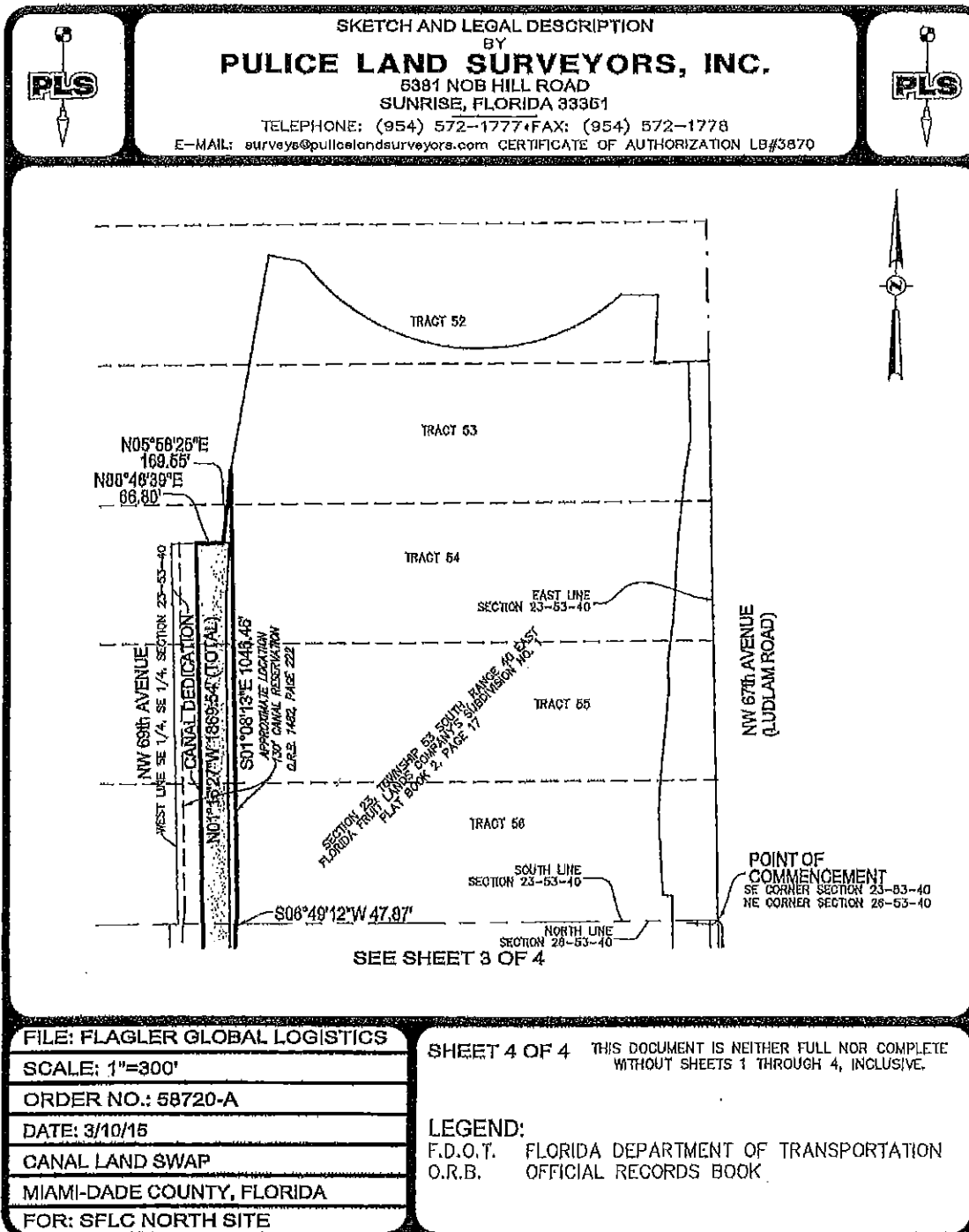
EXHIBIT A FOR ATTACHMENT B

SKETCH AND LEGAL DESCRIPTION BY	
PULICE LAND SURVEYORS, INC.	
5381 NOB HILL ROAD SUNRISE, FLORIDA 33351	
TELEPHONE: (954) 572-1777 FAX: (954) 572-1778	
E-MAIL: survey@pulloelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3970	
LEGAL DESCRIPTION:	
A PORTION OF TRACTS 53, 54, 55 AND 56 OF "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION No. 1", SECTION 23, TOWNSHIP 53 SOUTH, RANGE 40 EAST, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AND A PORTION OF THE EAST 1/2 OF SECTION 26, TOWNSHIP 53 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:	
COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 26, ALSO BEING THE SOUTHEAST CORNER OF SAID SECTION 23; THENCE SOUTH 01°25'50" EAST ALONG THE EAST LINE OF SAID SECTION 26 FOR 1,481.84 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF NW 38th STREET EXTENSION (STATE ROAD No. 948); THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING SIX (6) COURSES AND DISTANCES; 1) NORTH 64°48'20" WEST 581.68 FEET; 2) NORTH 01°25'50" WEST 16.31 FEET; 3) NORTH 68°48'35" WEST 356.26 FEET; 4) SOUTH 01°11'05" EAST 70.29 FEET; 5) NORTH 68°48'35" WEST 372.00 FEET TO THE POINT OF BEGINNING; 6) CONTINUE NORTH 68°48'35" WEST 71.92 FEET; THENCE NORTH 01°16'27" WEST 1,869.54 FEET; THENCE NORTH 88°48'39" EAST 86.80 FEET; THENCE NORTH 05°58'25" EAST 169.65 FEET; THENCE SOUTH 01°08'13" EAST, ALONG THE EAST LINE OF THE 130 FOOT WIDE CANAL RESERVATION RECORDED IN OFFICIAL RECORDS BOOK 1482, PAGE 222 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, 1,046.46 FEET; THENCE SOUTH 06°49'12" WEST, THIS AND THE FOLLOWING TWO (2) COURSES BEING ALONG THE EAST LINE OF THE 130 FOOT WIDE CANAL RESERVATION RECORDED IN OFFICIAL RECORDS BOOK 1335, PAGE 09, OFFICIAL RECORDS BOOK 1540, PAGE 383, OFFICIAL RECORDS BOOK 2262, PAGE 303, AND OFFICIAL RECORDS BOOK 2316, PAGE 448, ALL OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, 47.87 FEET; THENCE SOUTH 00°04'39" EAST 625.78 FEET; THENCE SOUTH 01°22'15" EAST 345.62 FEET TO THE POINT OF BEGINNING.	
SAID LANDS SITUATE, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA, CONTAINING 149,106 SQUARE FEET (3.4230 ACRES), MORE OR LESS.	
NOTES:	
1) BEARINGS ARE BASED ON THE SOUTH LINE OF SECTION 23-53-40, BEING S89°33'56"W.	
2) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.	
3) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.	
FILE: FLAGLER GLOBAL LOGISTICS	SHEET 1 OF 4 THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 THROUGH 4 INCLUSIVE.
SCALE: N/A	
ORDER NO.: 58720-A	
DATE: 3/10/15	
CANAL LAND SWAP	
MIAMI-DADE COUNTY, FLORIDA	
FOR: SFLC NORTH SITE	

18







21

ATTACHMENT C

W.C. 905

Page 1 of 7

RIGHT-OF-WAY DEED TO MIAMI-DADE COUNTY

CONVEYS THE TITLE FOR CANAL PURPOSES

BY LIMITED LIABILITY CORPORATION

STATE OF FLORIDA,)
COUNTY OF MIAMI-DADE)

THIS INDENTURE, made this ____ day of _____, 20____, by and between FDG HIALEAH, LLC, a limited liability company under the laws of the State of Delaware, and having its office and principal place of business in the City of Coral Gables, in the State of Florida, party of the first part, and the County of Miami-Dade, a body Corporate, and a Political Subdivision of the State of Florida, and its successors in interest, party of the second part,

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of One Dollar to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, and for other and further good and valuable considerations, does hereby grant, bargain and sell to the party of the second part, and its successors in interest, for the purpose of a public canal and all public uses and purposes incidental thereto, including but not limited to the right of the party of the second part to ownership and disposal of all spoil material from said canal, the following described land, situate, lying and being in the County of Miami-Dade, State of Florida, to-wit:

SEE EXHIBIT "A"

This instrument was prepared by:
Carlos A. Calvache
Department of Regulatory and Economic Resources
Environmental Resources Management
701 N.W. 1st Court, 6th Floor
Miami, Florida 33136

22

If is the intention of the party of the first part by this instrument to convey to the said County, and its successors in interest, the land above described for use as a public canal and for other public uses and purposes.

And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever, claiming by, through or under him.

IN WITNESS WHEREOF, the said party of the first part, has executed by _____, who has been granted the authority to execute this deed on behalf of FDG HIALEAH, LLC, and has caused the same to be attested by _____, on this, the day and year first above written.

Signed, Sealed, Attested and delivered in our presence:

Witnesses: _____
Name of Corporation

Sign _____	By _____
Print _____	Print _____
Sign _____	Title _____
Print _____	Address _____

STATE OF)
COUNTY OF)

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____, who is personally known to me or who has produced _____ as identification and did take an oath.

NOTARY PUBLIC:

Sign _____
Print _____
State of Florida at Large Seal
My Commission Expires:

RIGHT-OF-WAY DEED
TO
MIAMI-DADE COUNTY
CONVEYS THE TITLE FOR
CANAL PURPOSES

FROM
FDG HIALEAH, LLC

TO
MIAMI-DADE COUNTY, FLORIDA

The foregoing dedication was accepted and approved on the ____ day of _____,
20____, by Resolution No. _____ of the Board of County Commissioners of Miami-Dade County,
Florida.

Sign: _____

Print: Carlos A. Gimenez

Title: Mayor



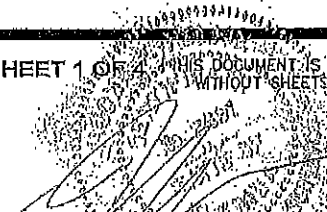
111 N.W. 1st Street
Stephen P. Clark Center
Miami, Florida 33128

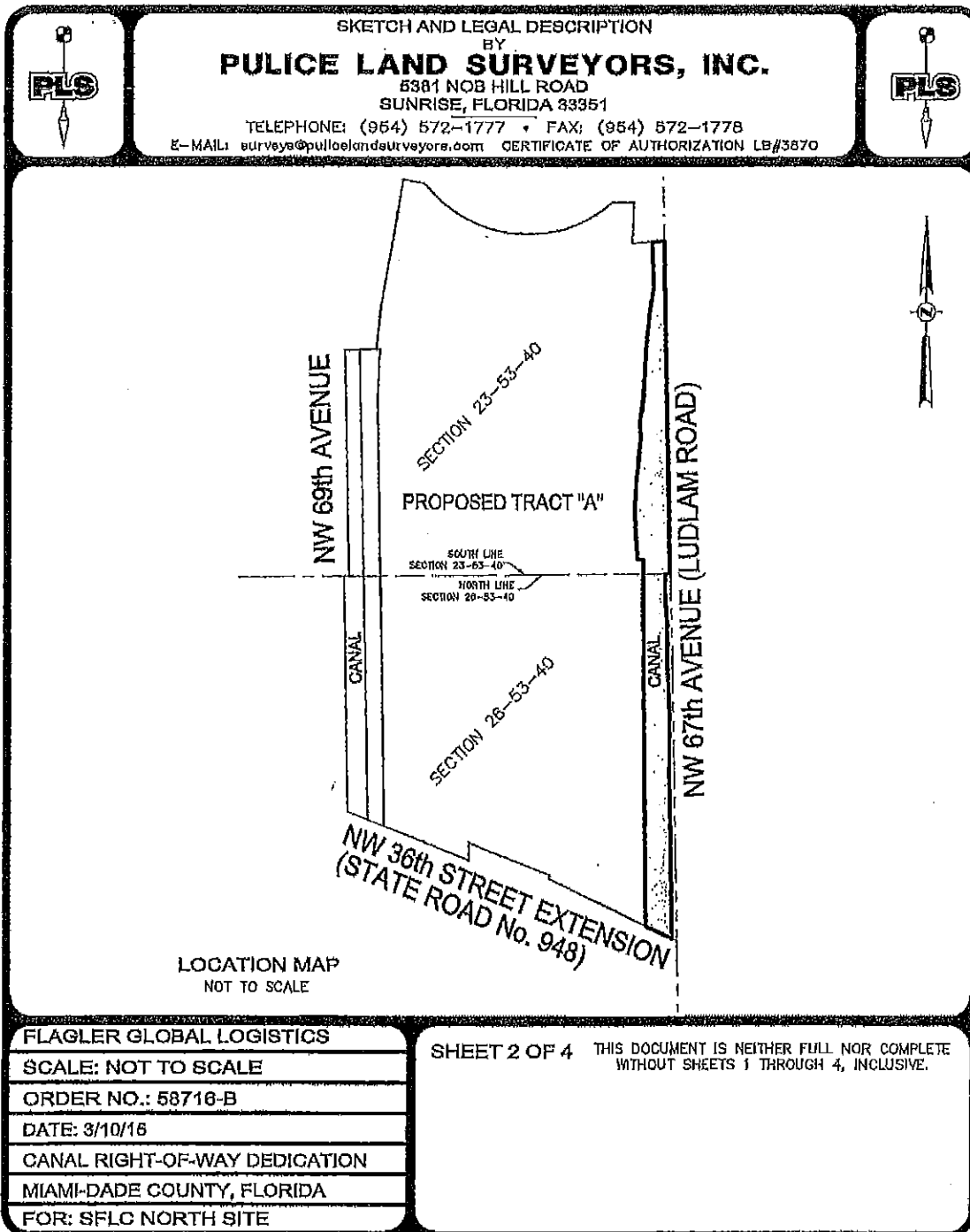
ATTEST: HARVEY RUVIN
Clerk of said Board

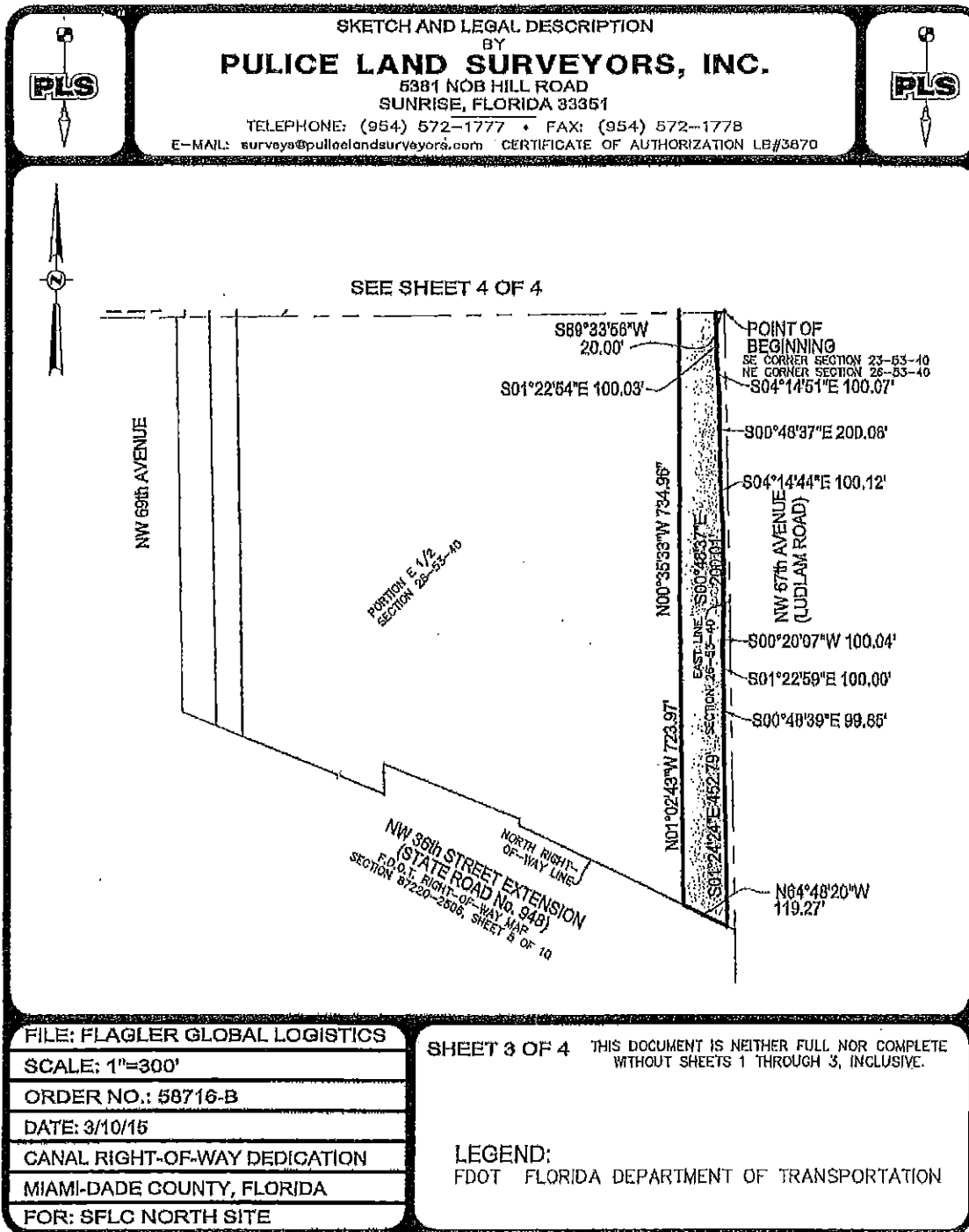
By: _____
Deputy Clerk

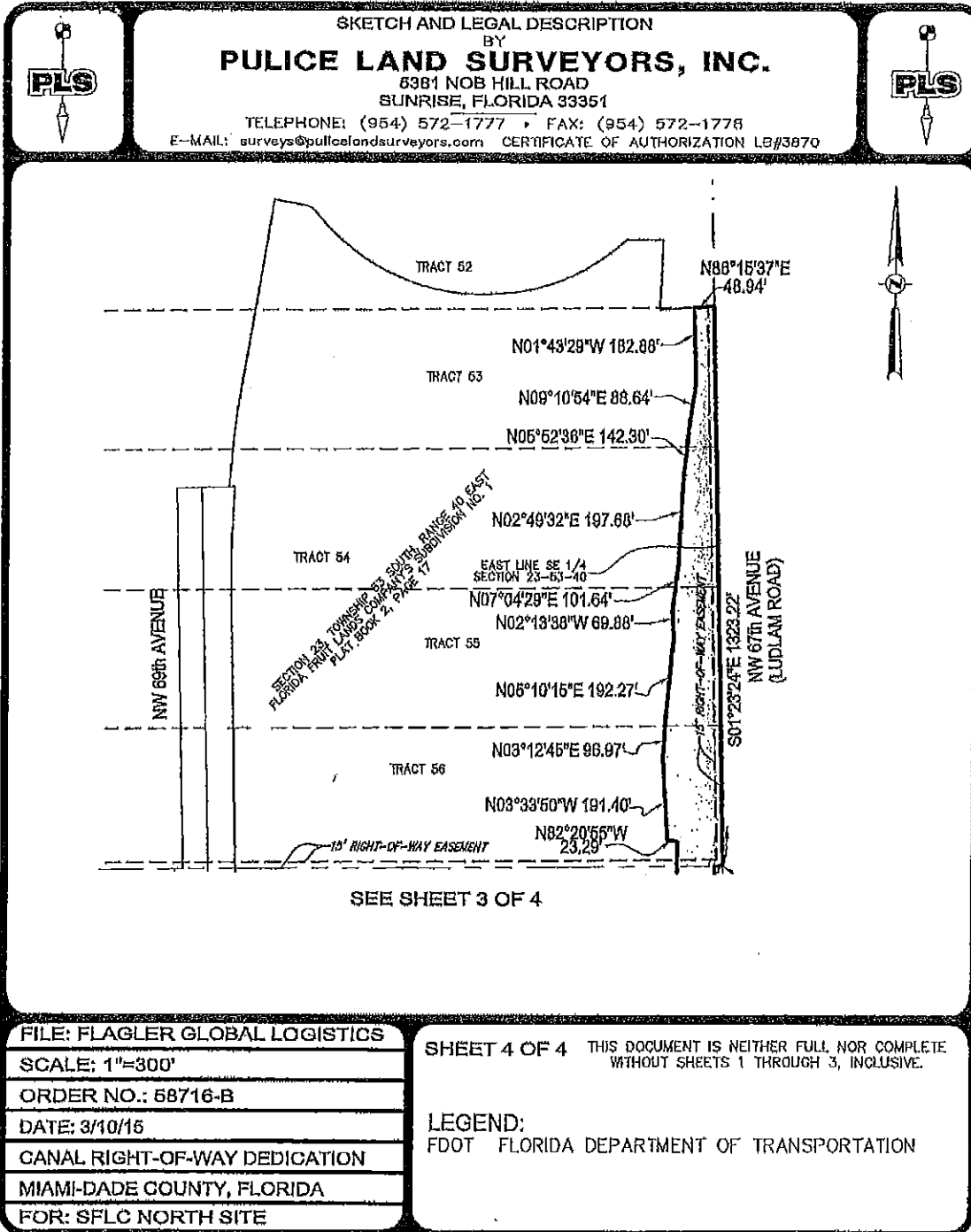
24

EXHIBIT A FOR ATTACHMENT C

SKETCH AND LEGAL DESCRIPTION BY PULICE LAND SURVEYORS, INC. 6381 NOB HILL ROAD SUNRISE, FLORIDA 33351 TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778 E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870	
	
LEGAL DESCRIPTION: A PORTION OF TRACTS 52, 53, 54, 55 AND 56 OF "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION No. 1", SECTION 23, TOWNSHIP 53 SOUTH, RANGE 40 EAST, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AND A PORTION OF THE EAST 1/2 OF SECTION 26, TOWNSHIP 53 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 23; THENCE SOUTH 89°33'56" WEST ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 23, ALSO BEING THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 26 FOR 20.00 FEET; THENCE SOUTH 01°22'54" EAST 100.03 FEET; THENCE SOUTH 04°14'51" EAST 100.07 FEET; THENCE SOUTH 00°48'37" EAST 200.06 FEET; THENCE SOUTH 04°14'44" EAST 100.12 FEET; THENCE SOUTH 00°48'37" EAST 200.01 FEET; THENCE SOUTH 00°20'07" WEST 100.04 FEET; THENCE SOUTH 01°22'59" EAST 100.00 FEET; THENCE SOUTH 00°48'39" EAST 99.85 FEET; THENCE SOUTH 01°24'24" EAST 452.79 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF NW 36th STREET EXTENSION (STATE ROAD No. 948) AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 87220-2506, SHEET 5 OF 10; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE NORTH 64°48'20" WEST 119.27 FEET; THENCE NORTH 01°02'43" WEST 723.97 FEET; THENCE NORTH 00°35'33" WEST 734.96 FEET; THENCE NORTH 82°20'55" WEST 23.29 FEET; THENCE NORTH 03°33'50" WEST 191.40 FEET; THENCE NORTH 03°12'45" EAST 86.97 FEET; THENCE NORTH 05°10'15" EAST 192.27 FEET; THENCE NORTH 02°13'38" WEST 69.88 FEET; THENCE NORTH 07°04'29" EAST 101.64 FEET; THENCE NORTH 02°49'32" EAST 197.68 FEET; THENCE NORTH 05°52'36" EAST 142.30 FEET; THENCE NORTH 09°10'54" EAST 88.64 FEET; THENCE NORTH 01°43'29" WEST 182.88 FEET; THENCE NORTH 86°15'37" EAST 48.94 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 23, ALSO BEING THE WEST RIGHT-OF-WAY LINE OF NW 67th AVENUE (LUDLAM ROAD); THENCE SOUTH 01°23'24" EAST ALONG SAID EAST LINE AND SAID WEST RIGHT-OF-WAY LINE 1323.22 FEET TO THE POINT OF BEGINNING. SAID LANDS SITUATE, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA, CONTAINING 275,795 SQUARE FEET (6.3314 ACRES), MORE OR LESS.	
NOTES: 1) BEARINGS ARE BASED ON THE EAST LINE OF SECTION 26-53-40, BEING S01°28'50"E. 2) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY. 3) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.	
FILE: FLAGLER GLOBAL LOGISTICS SCALE: NOT TO SCALE ORDER NO.: 58716-B DATE: 3/10/15 CANAL RIGHT-OF-WAY DEDICATION MIAMI-DADE COUNTY, FLORIDA FOR: SFLC NORTH SITE	SHEET 1 OF 4 - THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 THROUGH 3, INCLUSIVE.  <input checked="" type="checkbox"/> JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2891 <input checked="" type="checkbox"/> BETH BURNS, PROFESSIONAL SURVEYOR AND MAPPER LS6136







ATTACHMENT D

W.C. 905

Page 1 of 6

MIAMI-DADE COUNTY, FLORIDA, DISCLAIMER

KNOW ALL MEN BY THESE PRESENTS that MIAMI-DADE COUNTY, a political subdivision of the State of Florida, does hereby give notice that it disclaims certain rights, title and interests which said MIAMI-DADE COUNTY has in the following described lands lying and being in Miami-Dade County, Florida, to wit:

SEE EXHIBIT A

WHEREAS, the Central and Southern Florida Flood Control Districts by Rights in Reservations Deed No. 53 dated December 5, 1960 recorded in Official Records Book 2418 at Page 433 and Rights in Reservations Deed No. 54 dated December 5, 1960 recorded in Official Records Book 2418 at Page 435 of the Public Records of MIAMI-DADE COUNTY, FLORIDA, conveyed, assigned, set over and granted to Miami-Dade County for canal and levee purposes only, the above described lands; and

WHEREAS, the aforesaid rights in reservations upon the said above described lands are not now needed by MIAMI-DADE COUNTY for canal purposes:

NOW, THEREFORE, MIAMI-DADE COUNTY DOES disclaim any interest it has in the aforementioned lands by virtue of the said Rights in Reservations Deed No. 53 dated December 5, 1960 recorded in Official Records Book 2418 at Page 433 and Rights in Reservations Deed No. 54 dated December 5, 1960 recorded in Official Records Book 2418 at Page 435 of the Public Records of Miami-Dade County, Florida.

This instrument was prepared by:
Carlos A. Calvache of Miami-Dade County
Department of Regulatory and Economic Resources
701 N.W. 1st Court, 6th Floor
Miami, Florida 33136

29

BY THE ISSUANCE of this instrument MIAMI-DADE COUNTY does not purport to lessen or diminish any existing canal right of way or canal maintenance easement, nor the rights of any other agency or governmental body in and to the aforementioned lands.

IN WITNESS WHEREOF MIAMI-DADE COUNTY FLORIDA, has caused these presents to be executed in its name by its Board of County Commissioners acting by the Mayor and the Clerk or Deputy Clerk of said Board on this the _____ day of _____ 20____.

ATTEST:

MIAMI-DADE COUNTY, FLORIDA
BY ITS MAYOR

HARVEY RUVIN
CLERK OF SAID BOARD

By: _____
Deputy Clerk

By: _____
Carlos A. Gimenez, Mayor

Print: _____

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by _____, who is personally known to me or who has produced _____ as identification and who did take an oath.

NOTARY PUBLIC:






Sign _____

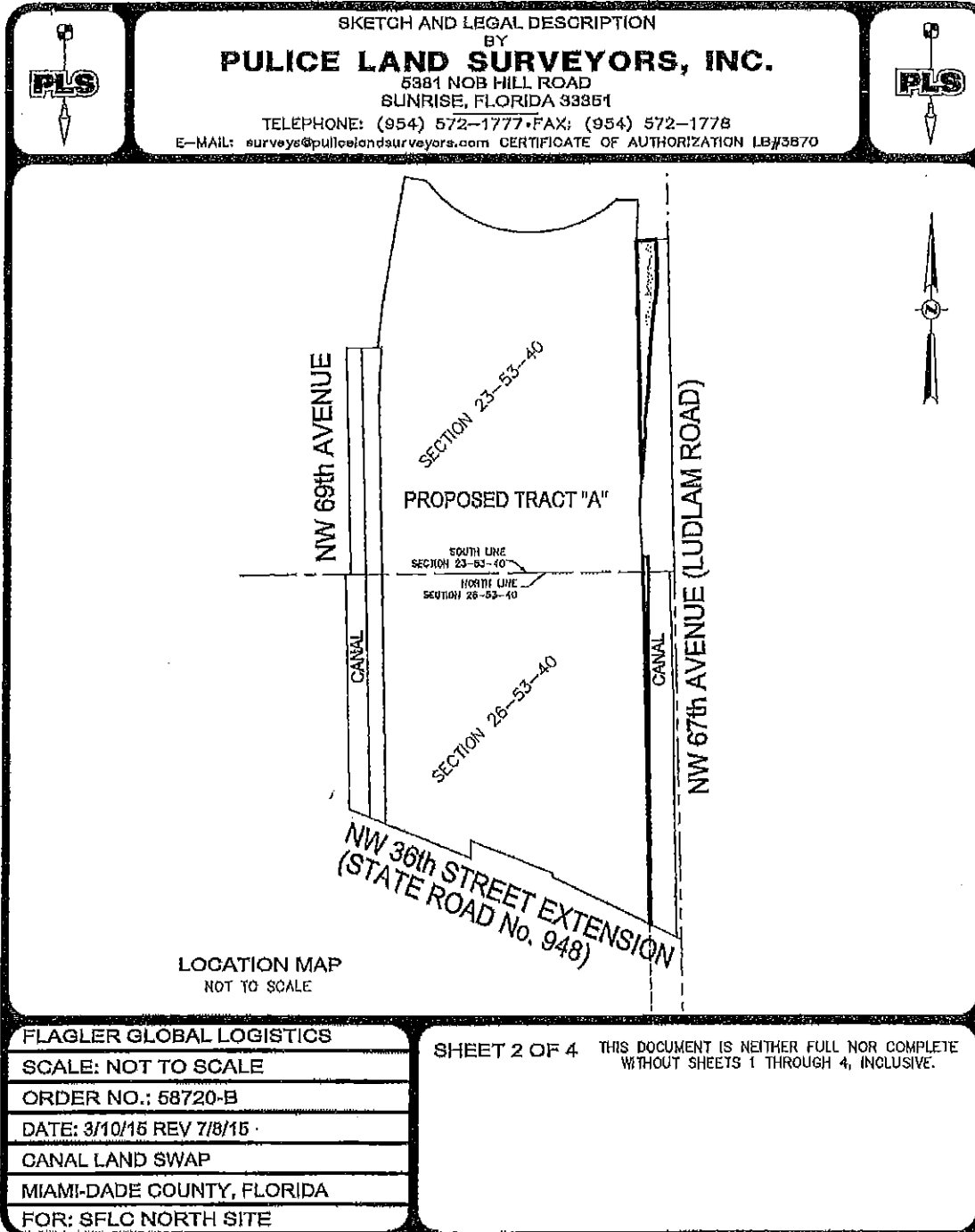
Print _____
STATE OF FLORIDA at large
(Seal)

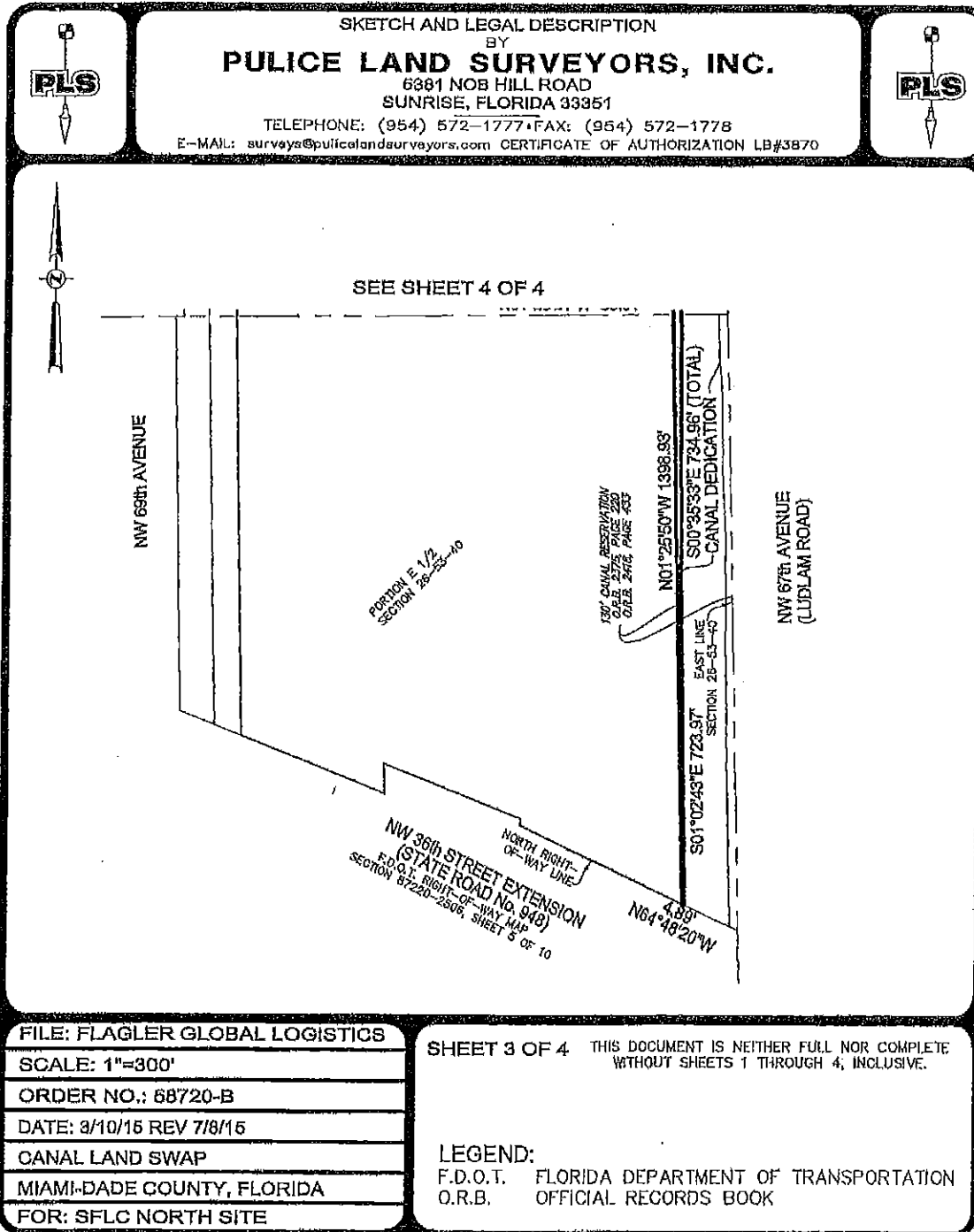
My commission expires: _____

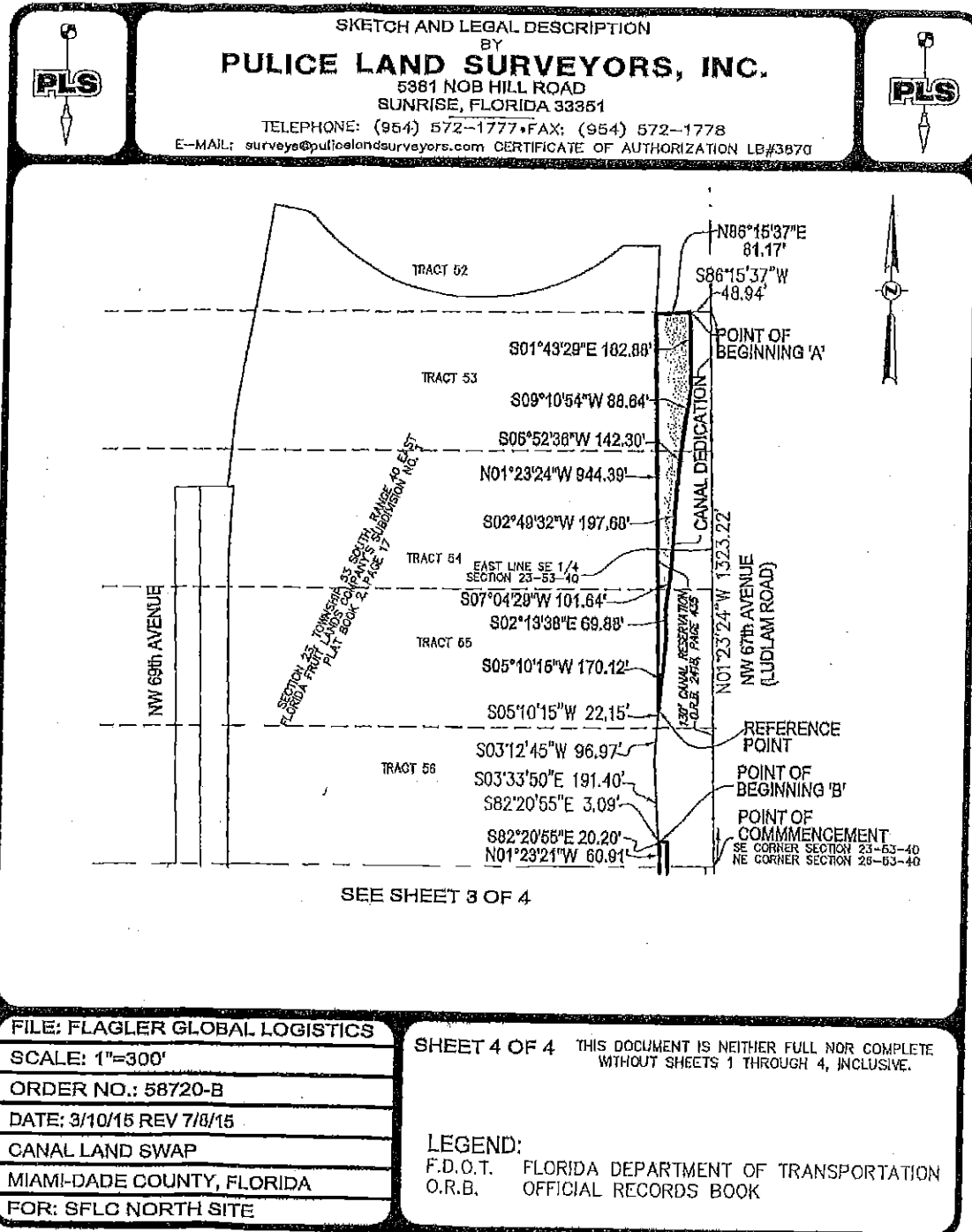
30

EXHIBIT A FOR ATTACHMENT D

	<p>SKETCH AND LEGAL DESCRIPTION BY PULICE LAND SURVEYORS, INC. 6381 NOB HILL ROAD SUNRISE, FLORIDA 33351 TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778 E-MAIL: surveys@puliceolandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870</p>			
<p>LEGAL DESCRIPTION: A PORTION OF TRACTS 52, 53, 54, 55 AND 56 OF "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION No. 1", SECTION 23, TOWNSHIP 53 SOUTH, RANGE 40 EAST, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AND A PORTION OF THE EAST 1/2 OF SECTION 26, TOWNSHIP 53 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:</p> <p>COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 26, ALSO BEING THE SOUTHEAST CORNER OF SAID SECTION 23; THENCE NORTH 01°23'24" WEST ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 23, ALSO BEING THE WEST RIGHT-OF-WAY LINE OF NW 67th AVENUE (LUDLAM ROAD) 1323.22 FEET; THENCE SOUTH 86°15'37" WEST 48.94 FEET TO POINT OF BEGINNING 'A'; THENCE SOUTH 01°43'29" EAST 182.88 FEET; THENCE SOUTH 09°10'54" WEST 88.64 FEET; THENCE SOUTH 05°52'38" WEST 142.30 FEET; THENCE SOUTH 02°49'32" WEST 197.88 FEET; THENCE SOUTH 07°04'29" WEST 101.64 FEET; THENCE SOUTH 02°13'38" EAST 69.88 FEET; THENCE SOUTH 05°10'15" WEST 170.12 FEET TO A REFERENCE POINT; THENCE NORTH 01°23'24" WEST ALONG THE WEST LINE OF THE 130 FOOT WIDE CANAL RESERVATION RECORDED IN OFFICIAL RECORDS BOOK 2418, PAGE 435, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, 944.39 FEET; THENCE NORTH 86°15'37" EAST 81.17 FEET TO POINT OF BEGINNING 'A'.</p> <p>TOGETHER WITH:</p> <p>COMMENCING AT THE ABOVEMENTIONED REFERENCE POINT; THENCE SOUTH 05°10'15" WEST 22.15 FEET; THENCE SOUTH 03°12'45" WEST 98.97 FEET; THENCE SOUTH 03°33'50" EAST 191.40 FEET; THENCE SOUTH 82°20'55" EAST 3.09 FEET TO POINT OF BEGINNING 'B'; THENCE CONTINUE SOUTH 82°20'55" EAST 20.20 FEET; THENCE SOUTH 00°35'33" EAST 734.96 FEET THENCE SOUTH 01°02'43" EAST 723.97 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF NW 36th STREET EXTENSION (STATE ROAD No. 948); THENCE NORTH 64°48'20" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE 4.89 FEET; THENCE NORTH 01°25'50" WEST ALONG THE WEST LINE OF THE 130 FOOT WIDE CANAL RESERVATION RECORDED IN OFFICIAL RECORDS BOOK 2375, PAGE 220 AND OFFICIAL RECORDS BOOK 2418, PAGE 433, BOTH OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, 1398.93 FEET; THENCE NORTH 01°23'24" WEST 80.91 FEET TO POINT OF BEGINNING 'B'.</p> <p>SAID LANDS SITUATE, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA, CONTAINING A TOTAL OF 58,550 SQUARE FEET (1.3441 ACRES), MORE OR LESS.</p>				
<p>NOTES: 1) BEARINGS ARE BASED ON THE EAST LINE OF SECTION 26-53-40, BEING S01°25'50"E. 2) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY. 3) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.</p>				
<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 40%;"><p>FILE: FLAGLER GLOBAL LOGISTICS</p><p>SCALE: NOT TO SCALE</p><p>ORDER NO.: 58720-B</p><p>DATE: 3/10/15 REV 7/8/15</p><p>CANAL LAND SWAP</p><p>MIAMI-DADE COUNTY, FLORIDA</p><p>FOR: SFLC NORTH SITE</p></td><td style="width: 60%; text-align: center; vertical-align: top;"><p>SHEET 1 OF 4 THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 THROUGH 4, INCLUSIVE.</p><div style="text-align: center;"></div><p>JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691 BETH BURNS, PROFESSIONAL SURVEYOR AND MAPPER LS6136</p></td></tr></table>			<p>FILE: FLAGLER GLOBAL LOGISTICS</p> <p>SCALE: NOT TO SCALE</p> <p>ORDER NO.: 58720-B</p> <p>DATE: 3/10/15 REV 7/8/15</p> <p>CANAL LAND SWAP</p> <p>MIAMI-DADE COUNTY, FLORIDA</p> <p>FOR: SFLC NORTH SITE</p>	<p>SHEET 1 OF 4 THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 THROUGH 4, INCLUSIVE.</p> <div style="text-align: center;"></div> <p>JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691 BETH BURNS, PROFESSIONAL SURVEYOR AND MAPPER LS6136</p>
<p>FILE: FLAGLER GLOBAL LOGISTICS</p> <p>SCALE: NOT TO SCALE</p> <p>ORDER NO.: 58720-B</p> <p>DATE: 3/10/15 REV 7/8/15</p> <p>CANAL LAND SWAP</p> <p>MIAMI-DADE COUNTY, FLORIDA</p> <p>FOR: SFLC NORTH SITE</p>	<p>SHEET 1 OF 4 THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 THROUGH 4, INCLUSIVE.</p> <div style="text-align: center;"></div> <p>JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691 BETH BURNS, PROFESSIONAL SURVEYOR AND MAPPER LS6136</p>			







34